

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

SHANE TYREE,

*Plaintiff,*

v.

FRANK WOLFE, III, *Law Enforcement Officer*  
DAVID EDWARDS, *Law Enforcement Officer*,  
GABE FRIETZSCHE, *Law Enforcement Officer*,  
BLAYNE ROOT, *Law Enforcement Officer*, and  
UNNAMED WOODSPRING SUITES MANAGER

*Defendants.*

No. 1:23-cv-02303-JMS-MJD

**ORDER**

On February 21, 2024, the Court issued an Order screening Plaintiff Shane Tyree's Complaint and ruling on various motions filed by him. [[Filing No. 6.](#)] Upon distribution to Mr. Tyree's address, the Court's February 21, 2024 Order was returned as undeliverable. [[Filing No. 8.](#)] Mr. Tyree has since submitted a Notice of Change of Address. [[Filing No. 11.](#)] Because it appears that Mr. Tyree may not have received the Court's February 21, 2024 Order, the Court **DIRECTS** the clerk to send a copy of the Order, [[Filing No. 6.](#)], to Mr. Tyree's address in his Notice of Change of Address. [*See* [Filing No. 11.](#)] To the extent that Mr. Tyree does not have a permanent mailing address, the Court notes that the United States Postal Service offers General Delivery, which is a mail service for those without a permanent address. The Court admonishes Mr. Tyree to remain diligent in providing updated mailing and contact information as the case proceeds.

Additionally, in the Court's February 21, 2024 Order, the WoodSpring Suites hotel was directed to file a report to identify the Unnamed WoodSpring Suites Manager. However, the Court

has not received any such identification. Pursuant to the Seventh Circuit's directions to courts to assist pro se litigants in identifying unnamed but known defendants in a § 1983 case, the Court's research indicates that it would be prudent to take a different course of action. See *Donald v. Cook Cnty. Sheriff's Dep't*, 95 F.3d 548, 555 & n.3 (7th Cir. 1996) (citing cases). Mr. Tyree provided an address for a WoodSpring Suites in Whitestown. Although the address is in Whitestown, the hotel at the same address is consistent with a hotel entitled the "WoodSpring Suites in Indianapolis Zionsville," See *WoodSpring Suites Indianapolis Zionsville*, <https://www.woodspring.com/extended-stay-hotels/locations/indiana/indianapolis/woodspring-suites-indianapolis-zionsville> (last visited May 3, 2024). The WoodSpring Suites Indianapolis Zionsville, according to the Indiana Secretary of State's Business Search, has a business status of "withdrawn," and its registered agent is "revoked." See *InBiz*, <https://bsd.sos.in.gov/PublicBusinessSearch/> (search for Business ID: 201905081321551) (last visited May 3, 2024). The Court will not continue to send notices to what appears to be an unregistered business. As such, the Court **REQUESTS** that the Magistrate hold status conference with the Defendants to determine whether any of the parties can identify the Unnamed Woodspring Suites Manager, potentially, for example, from the police report or any other reasonably available source. In any event, the Court reminds Mr. Tyree that he is the master of his own Complaint, and as such he bears the ultimate responsibility for identifying parties he would like to name as defendants.


Consistent with the Order Setting Pretrial Schedule and Discussing Discovery, [[Filing No. 14 at 2](#)], Mr. Tyree shall have until **June 6, 2024**, to amend his Complaint and provide the name of the Unnamed Woodspring Suites Manager. Meanwhile, the case shall still proceed.

The Court, having considered the above action and the matters that are pending, makes the following rulings:

1. The Court **DIRECTS** the clerk to send a copy of the Order, [[Filing No. 6](#)], to Mr. Tyree's address in his Notice of Change of Address. [See [Filing No. 11](#).]
2. The Court **REQUESTS** that the Magistrate Judge hold a status conference with the Defendants to determine whether the identity of the Unnamed Woodspring Suites Manager is known.
3. If Mr. Tyree believes that additional claims were alleged in the Complaint, but not identified by the Court in this Entry, he shall have until **June 6, 2024**, to file an Amended Complaint identifying those claims. If he wishes to continue to pursue claims against the Unnamed Woodspring Suites Manager, he must identify that individual in an Amended Complaint filed by that date.

The Court notes that the deadlines in the February 21, 2024 Order do not apply; this Order's updated deadlines and instructions control.

Date: 5/6/2024

  
Hon. Jane Magnus-Stinson, Judge  
United States District Court  
Southern District of Indiana

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Magistrate Judge Dinsmore